

LATIN NOTES

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A MEETING OF THE SENATE

Any Roman who happened to be in the Forum, anywhere near the northwestern end, on the morning of November 8th, 63 B. C. (and in view of the prevailing excitement, there were in all likelihood enormous crowds gathered there) would have seen the praeco advance to the centre of the Comitium, and heard him announce in a stentorian voice that the senators were summoned to a meeting at the Temple of Jupiter Stator. The summons was issued in the name of one of the two consuls of the year, Marcus Tullius. In all likelihood a great many of the senators had been notified of this meeting by hurried messengers throughout the previous day and night, some directly by the consul himself, some indirectly by other senators. Since all members of the august body were required to remain in Rome or the vicinity and were subject to a property fine if they failed to attend the meetings, we may be sure that news of any meeting was rapidly and effectively conveyed to all of them. It is true that the fines were practically never enforced, and that senators freely disregarded the rule of remaining permanently within reach of a summons. But that was in times of peace. On this occasion, most of the senators were probably already on their way to the temple, when the praeco was announcing the meeting.

Any magistrate with *imperium*, or any praetor or consul, might call a meeting. He had the *ius agendi cum senatu*. Even tribunes had in fact done so in recent times, though at first that was quite irregular, and long ago a tribune had not been permitted to cross the threshold of the senate's meeting place. We must remember that the Roman constitution, like the English, was unwritten and consisted of numerous traditional rules, subject to progressive modification, as well as of a number of explicit statutes. If a tribune called a meeting, it was probably with the consent of one of the higher magistrates, so that in practice no objection would be made. However, any tribune could always prevent a meeting from being held by intercession, that is by crying out, "Veto," just when the meeting was about to begin or just when a vote was to be taken. It was customary for a tribune who intended to intercede in this way to announce his intention in advance, in which case the summoning magistrate, if he thought the tribune meant really to do so, would not issue the summons. Intercessions were rare although they were often threatened.

All former magistrates from the quaestor up, had, from time immemorial, been members of the senate, and now were such members by law. Every five years the censors were required to draw up a list of the senators, and they retained and exercised a power to exclude certain individuals for what in their opinion was moral unfitness. They had recently exercised this discretion with notable severity. Often partisan and personal animosity governed their exclusions, but if

the excluded senator had any popular following, it was comparatively easy to be re-elected quaestor or tribune and thereby again attain membership.*

The meeting-place was in the Curia, which was a *templum*, that is, it stood on ground consecrated according to the ancient rites dating in all probability to the days of the Etruscan kings. Or else it was, as on the day mentioned, in an actual temple used primarily for purposes of divine worship. But some sacred buildings such as the *Aedes Vestae* were not *templa*, that is, had not been consecrated under these rites.

The ordinary meeting house was the Curia at the northwestern end, at the lowest level of the Forum. Between it and the Forum proper was the large square called the Comitium, and west of it was the Senaculum, a sort of a roofed portico surrounding an open space, where the senate would assemble to receive foreign ambassadors or for similar unofficial business, or where they might gather while waiting for the arrival of the summoning magistrate. In front of the Curia there had once stood a rude statue of King Tullus Hostilius, who was supposed to have first erected such a building in that place. But after the great fire of 80 B. C., Sulla, on rebuilding the Curia, had put his own statue in place of that of the king.

The edifice itself pretended to no great splendor. Its principal furniture consisted of the *subsellia*, the benches on which the senate sat. These were as different as they could very well be from the beautiful semicircular chairs that appear in modern paintings of such scenes. They were low benches, without backs or foot-rests, and accommodated at least four of five and perhaps many more. At this period, they must have been made of wood because they made excellent kindling a few years later when the Clodian mob sacked the senate-house. They may have been covered with cloth or fitted out with cushions, but we do not find stated anywhere that this was the case.

The tribunes actually in office occupied a bench of their own, which was probably a little longer than the others. The magistrates with *imperium*, the praetors and consuls, sat in curule chairs which were arranged in front of the *subsellia*, but faced the same way. These chairs were of the familiar shape, but without backs. Except for these, there was no set place for any senators, or for the ex-censors and ex-consuls, and none even for the *princeps senatus*, the distinguished senator whose name appeared first on the censors' list. To be sure, it was likely that the younger members would be found in the back and the older in front, but there was no established custom.

There was no quorum for a senate meeting as such. By law, however, a vote could not be taken on certain matters except in the presence of a certain number of senators, 100 or 150 or 200 for specified questions. The magistrate might begin the meeting when he

*M. Willems in his "Sénate de la République" has made a fairly complete list of all the members of the senate in the censorship of 55 B. C. The senate that met in 63 B. C. was the senate as established by the censorship of 70 B. C. From the list of M. Willems, we can form a fairly good estimate of the personal make-up of the body that determined the fate of the Catilinarians.

pleased, provided he did not take a vote on these topics without the requisite number.

Senators entered when they chose and as they chose. The old rule that the magistrate could compel attendance, also made it possible for him to prevent withdrawal, but the rule was obsolete and no senator felt any hesitation, even in spite of veiled threats, in leaving when he wished to. We may suppose that he would not enter while any one was delivering a set speech, but he would not mind interrupting an informal discussion, and he was sure that some at least of his friends and adherents would rise and advance toward him to greet him.

The benches were arranged in parallel lines in two groups with a fairly wide passage way between them. There were tables for the *librarii* in front, who however did not make a stenographic report of all the proceedings but acted under the consul's orders. There were also boxes and chests of archives kept permanently in the building or brought there for the meeting. A number of subordinate officials, *apparitores* of various kinds, as well as slaves, remained standing in constant readiness just outside the space actually occupied by the senate.

Unless there was some occasion for secrecy, the doors were wide open, and anyone might look in; but, except sons of senators, no one might enter. The open door also let in most of the light. There was probably an additional source of illumination and ventilation from the top—the later Curia had windows—but there was no means of keeping warm and sometimes the meeting had to be adjourned because it was too cold to continue.

When the senate met in a temple, instead of in the Curia, *subsellia* had to be brought there and arranged in the usual way. The meeting was held in the *cella*, at the back of which stood the statue of the god. Here, even more than in the Curia, the open door was the chief source of light and air.

The meeting began fairly early in the morning and was often continued till about four in the afternoon. Meetings held at night (anytime after sun-down) were extremely rare and of doubtful validity. The presiding officer was the magistrate who had summoned the meeting. There was no platform. His chair was probably with the other magistrates, except that when he conducted the meeting he rose and faced the body. The other senators simply rose and spoke from their places.

The actual beginning of the meeting was the taking of the auspices. For meetings of the senate, it was probably a simple enough matter in which the actual observations were taken by some subordinate of the augurs or of the consul himself. The observer would then report to the consul waiting in the senate-chamber that the auspices were favorable. In Cicero's time, this was rapidly becoming the merest formality. The brazier with smoking incense, that forms an indispensable part of modern paintings, had no existence in fact.

However, besides the auspices, a sacrifice was theoretically required and was no doubt generally carried out. The slaying of the sacrificial animal would be done in the courtyard of the temple or the Curia, and would require the assistance and presence of some sacerdotal official. One wonders whether in hurried and agitated meetings such as that in which the First Catilinarian Oration was delivered, this ceremony was not dispensed with.

The consuls and other magistrates present spoke as often as they liked and as much as they liked. This might result in an *altercatio*, or debate between the presiding magistrate and the others present. But the magistrates did not vote, and it was not good form for a magistrate actually to call upon another of equal or higher rank to utter his opinion.

There was no fixed order of business and no special order for the day, even though it may have been well

known that there was a very definite and urgent matter which occasioned the meeting. The magistrate might read letters to the senate, conduct informal discussions with some of them, or make a general explanatory speech on things he deemed of interest. However, if the senate grew impatient, he might be interrupted with cries of "*Refer!*", and if he were well-advised, he would promptly heed them.

That may explain the passage in Cat. I. 8,12. Cicero had been addressing the senate in the preliminary manner above described, and had been lashing the members into a fever of apprehension, when the gaunt figure of the dreaded demagogue stalked in. The consul turns on him with vehement denunciation until he is interrupted by Catiline with the cry, "*Refer ad senatum!*" and with the further statement that he would obey a decree ordering him into exile. Cicero goes right on, but, it will be noticed, he does not conduct a *relatio*, which at that time might not have turned out quite as he desired.

The actual procedure in a *relatio* was the following. The consul began with the words, "*Quod bonum felixque sit populo Romano Quiritium, referimus ad vos, patres conscripti*" (then would follow a brief statement of the matter) *de ea re quid fieri placeat.*" He might then explain the matter (*verba facere*), but he was not supposed to indicate the solution. If it was a specific proposition, he might at once take a vote, but in most cases he would not be permitted to do so, since cries of "*Consule!*" would rise from all parts of the house, and the magistrate would proceed to the *rogatio sententiarum*.

Originally the *princeps senatus* was called upon first. In Cicero's own time the custom had come in of calling upon the consul-elect for the next year. Next would follow the *consulares* in any order the magistrate chose. Then the praetors-elect and, after them, the *praetorii* (the tribunes elect and the *tribunicii*), although it may be that below the curule magistrates no discrimination was made.

Each senator arose in his place and spoke as he saw fit. He might not be interrupted; the previous question could not be called for, he might disregard the specific topic, *egredi relationem*, and talk about anything. This is astoundingly like the procedure in our own senate and, as in that body, filibusters were often successful. There was the famous instance of Cato's filibuster in Caesar's consulship, told in a fragment of Capito which is preserved by (Gellius IV. 10,8): *Eius rei ducendae gratia longa oratione utebatur eximebatque dicendo diem.* Caesar ordered a *viator* to arrest Cato and drag him to jail, but was compelled to release him when the entire senate arose and followed Cato out of the chamber. Senatorial privilege proved too much even for the high-handed political realist.

Every senator ended his speech with a *sententia*, a motion which doubtless would often take the form of a proposed *senatus consultum*, and this he might read in formal terms. Cicero ends the Fifth, the Eighth, and the Ninth Philippic with such a proposed decree, "*Quas ob res ita censeo,*" followed by the usual "*Whereas's*" (*cum*) and ending with the resolution *senatui placere ut*.

Quite contrary to our parliamentary procedure, at the end of the *rogatio* there would be a great number of motions before the house. Some would naturally be mere indications of agreement with a *sententia* already expressed. But many would be variant and contradictory proposals. The consul could intervene at any time and sum up the motions already made, *pronuntiatio sententiarum*. Again, he must merely explain, classify, reconcile, set forth, and, on no account suggest a decision. A superb example of skill in doing this is Cicero's Fourth Oration against Catiline, spoken in the very midst of such a debate, after the consulars and the praetor elect (Caesar) had given their opinions.

When all the motions were made, the consul put them

to vote, in the order, not of precedence, but of inclusiveness, since a negative vote on the larger questions would necessarily dispose of the smaller ones. We may say that this procedure is still the parliamentary practice in Continental countries. If the consul asked for a vote on too complicated a motion, senators might cry, "Divide!" which would require him to put the several parts of the motion separately.

A vote could properly be taken only *per discessionem*, even if it was taken without debate, immediately on the consul's *relatio*. If taken on a given *sententia*, the senators rose from their place and took seats on the side of the chamber on which the maker of the *sententia* sat, *pedibus in sententiam alicuius ire*; while those who voted in the negative, if they were sitting on that side, crossed the aisle and sat on the other. The consul officially—one of his attendants, in practice—counted the votes and announced the result.

Any amount of business could be transacted on the same day, but a postponement to the next day was of doubtful legality. That made a filibuster all the more effective when it was successful. And any day, both the *dies fasti* and the *dies nefasti* of the ancient calendar, were suitable for the meetings of the senate. The only exception was a *dies comitalis*, unless that happened to be a market or a feast day.

From what has been said, such a thing as a motion to adjourn could never have been made. Theoretically the senate met merely at the magistrate's instance, in order to advise him. Their *senatus consultum*—even the most peremptory one—was addressed to the magistrate, never to the general public, and always contained the proviso, *si ei (eis) videretur*, "If he (the magistrate) deems it advisable." The presiding magistrate however could at any time end the meeting with the words, *non vos teneo*, or *nihil vos moror*.

FORMULAS

For the benefit of those who may wish to conduct a senate meeting, I append a list of the formulas in use, as far as we can reconstitute them. They were in no sense a real ritual,—that is to say, a very considerable degree of latitude was permitted, but most of them had become so usual in that form that any change in the words would have caused comment.

- Summons: *Qui senatores sunt quibusque in senatu sententiam dicere licet ut adsint hodie frequentes ad aedem Iovis Statoris edicit M. Tullius consul.*
- Relatio: (Given in text.)
- Acclamations: (Cries of members from the floor, calling for debate, for putting the question or for dividing it, have been indicated in the text.)
- Consultatio: *Dic, D. Iuni; quid censes?*
- Sententia: (In any form, ending with some such phrase as *Quae cum ita sint; quas ob res, etc., ita censeo...*) (If it merely indicates agreement with a previous speaker, it runs as follows: *Quibus de rebus refert, Ti. Neroni assentior.*) (If he wishes to add an amendment: *Hoc amplius censeo.*)
- Quorum: (If a senator doubts whether there is the requisite number present to pass a particular law, he may cry out: *Numera! or Numera senatum!*)
- Vote: *Qui haec censetis in hanc partem, qui alia omnia in illam partem ite, qua sentitis.*
- Declaration: *Haec pars maior videtur.*

—Max Radin, University of California, Berkeley, California.

A FUNCTIONAL APPROACH TO VOCABULARY A Latin Project

Even to a subject so proverbially "dull" and "dead" as Latin, the project method can be applied with considerable success. The Freshman class this year have derived much pleasure and no small degree of "res bene gerendae" in making vocabulary Scrapbooks. From each vocabulary list, they have selected about seven words (a total of one hundred and fifty for the semester), the seven that best lend themselves to illustrating a picture as a whole or some details in it.

Pictures of church buildings and heathen bowing down to images of wood and stone bear some such legends as this, *Populus in hoc aedificio Deum laudat*; or again the picture of a smiling infant is inscribed thus, *Deus puerum parvum amat*. A picture of Niagara Falls carries this message, *Deus haec fecit*.

Good health and the Children's Aid are not forgotten in pictures showing a huge fly with a thousand and one contagious diseases following in his path, and badly crippled children, respectively labeled with such slogans as these, *Periculum portat*; *Pecuniam date et eos servate*! The Near East problem is likewise brought to our attention when we see a group of orphans figuratively crying out plaintively, *Vestri Socu magna in inopia sunt*!

Some of the more practical needs of life are suggested in pictures of various kinds of fruit with a message like this, *Hic cibus est optimus*; or in a representation of a housewife preparing dinner, *Mater cenam parat*; or carrying a full market basket home, *Corbula est feminae servus*; or using a vacuum cleaner, the modern *servus et amicus feminarum*. One learns, too, that *Lux manus servat*; that the automatic paying teller is the place *ubi discipuli boni pecuniam servant*; and that the wise householder *parat hiemi* by over hauling his furnace long before the cold North blasts begin to howl about the chimney. Even the Niagara *flumen* with its awe inspiring Falls is *noster servus* according to one chap who is especially interested in electricity.

The good times on the old farm are vividly called to mind by a rambling old farm house whose *memoria est gratissima*; or again the summer hotel experiences of too many folks are suggested by a comic cartoon of Jiggs who finds the indifferent servants daily growing more eager and willing to wait on him as his departure, with its supposedly lavish largesses according to the American custom, draws near. Such a scene as this, one rather original chap hints, represents the polite ways that *servi* adopt *ubi pecuniam cupiunt*.

Politics, too, play a part in the Scrapbooks. One of the presidential candidates *est filius et amicus agricolarum*; Uncle Sam *in imperio est*; Pershing *erat imperator exercitus nostri*, while the symbolic Democratic donkey, pictured as throwing the K. K. K. over his head is said to be *magno in periculo*. Two especially appropriate pictures, suggestive of politics in the problems of war and taxation, were marked thus, *Iniuriae belli sunt multae* and *Vectigalia immodica populo iniuriae sunt*.

On the whole, vocabulary results have been much better than with previous classes, and the pupils have come to see that Latin will convey modern ideas and facts with quite as much facility as their own mother-tongue.

—Miss Juanita M. Downes,
Cheltenham High School,
Philadelphia, Pa.

BOOKS

The following firms have offered to import books for classical teachers: William H. Allen, 3413 Walnut St., Philadelphia, Pa., and A. G. Seiler, 1224 Amsterdam Ave., New York City.

The Roman Toga, by Lillian M. Wilson; Johns Hopkins Press, Baltimore, Md.; \$5.00.

"TOLLE ET LEGE"

I have observed in tutoring boys from other schools their almost invariable custom of beginning to translate without having read the sentence they were to turn into English. In a large number of cases, I have asked students of schools, both private and public, what was the practice in this respect in their classes. From nearly all, the answer has been that the author was not read aloud in class. This, it seems to me, is a most deplorable condition.

The discussion of this matter depends on the answer to the paradoxical question, "Is Latin a language"? If Latin is a language, it follows the nature of all speech in being primarily oral. Even admitting that the case of Latin, as a cultural subject in our schools, is different from that of the other foreign languages, we cannot, however, evade the fact that Latin is, after all, a language, and that a conscientious attempt should be made to inculcate its correct pronunciation. The Survey Committee lists "ability to pronounce Latin" as the first secondary objective involved in the primary objective, which is "progressive development of ability to read and understand Latin." The authority of the Committee, if authority were needed, should settle the point for all of us.

Do we wish the rising generation to feel something of the spirit that has breathed upon us from the pursuit of those studies which have nourished our youth, and which Cicero teaches us to look forward to as one of the solaces of old age? Why, then, are these young people not to be taught to hear the tramp of the legions that brought Roman civilization into Gaul, to repeat the sonorous cadences of Cicero, and to re-echo the harmonies of him who was the "wielder of the stateliest measure ever moulded by the lips of man"? Studying Latin by the eye alone seems to me to be a pretty good imitation of "Hamlet without the Prince of Denmark."

The practice of not reading before translation lowers the prestige of our subject. Did the Romans really speak this language? is a query frequently heard from mystified pupils of the eye-reading and analytical method, to whom Latin sounds are unfamiliar, and who are victims of the "auditional dread of saying or reading Latin aloud, now so much in evidence." In the minds of these eye-readers, the conviction takes root that Latin is, indeed, a dead language, so dead that the present generation ought to let it rest in peace.

Now that the prescription of authors has been cut down by the Committee, the pressure of time, which might have militated against the practice of reading in class, has been greatly relieved, and we may hope that reading preliminary to translation may assume its rightful position of importance.

P. J. Downing, Lawrence Smith School, New York City.

CAN WE FIND A DEFINITION OF "EDUCATION" IN THE PERSONALITY OF THIS MAN?

Anatole France is, in a sense, the heir of all the ages as is no other living man: in him the golden detritus of civilization from its beginning appears to have accumulated and to have found there its finest lands; he shares, it seems, the secrets of souls the most diverse in constitution; he takes his way among ideas of every sort without a moment of trepidation or awkwardness; he has met innumerable aspects of beauty and has never once closed the eyes of his understanding. What is perhaps even more wonderful than that he should have so assimilated and so uttered the wide world, he has suffered from no scholarly or poetic paralysis but has kept both the power to be stirred by injustice—without merely reflecting that the race of man has often been unjust—and the willingness to speak out when any neglected human need arises.

—The Nation

SERVICE BUREAU ANNOUNCEMENTS

The following SUPPLEMENTS to LATIN NOTES are now available for the prices indicated. (These are not included in the subscription price of LATIN NOTES.)

- I. English pronunciation of proper names in the Aeneid. Price 10 cents.
- II. Some allusions in English literature to the Aeneid. Single copies 10 cents; 5 cents for 30 copies or more.
- III. A bibliography for the study of Vergil. Price 10 cents. Valuable for college instructors as well as for the secondary Latin teacher.
- IV. Famous stories about the Romans; fifteen easy Latin narratives (with pictures) suitable for sight reading in the first year. Price 10 cents for single copies; 5 cents for 30 copies or more.
- V. Twenty interesting stories about Caesar; taken from translations of classical authors. Price 10 cents; 5 cents for 30 copies or more.
- VI. Programs for classical clubs—a summary of some accounts in the *Current Events Department* of the *Classical Journal* for the last ten years. An 8-page folder. Price 25 cents.
- VII. A catechism for the progressive Latin teacher, by Dr. Gonzalez Lodge, Teachers College. Price, 10 cents; 30 or more, 5 cents each plus postage.
- VIII. Latin cross word puzzles, by Dr. Roland Kent and C. R. J. Scott, University of Pennsylvania. Price 10 cents; 30 or more, 5 cents each plus postage.

Mimeographed Material

The numbering is continued from the December issue. This material is lent to teachers upon payment of postage or is sold for 5 cents per item unless otherwise indicated.

104. Roman oratory—Some quotations from Cicero's Brutus, De Oratore, etc. Compiled by Cora Bryson, Leonia, New Jersey.
105. What pupils and teachers should know about Roman religion—An outline by George Converse Fiske, University of Wisconsin.
106. Page references to topics dealing with Roman life, designed for the use of pupils and teachers. Prepared by Ruth Swan of the Libbey High School, and Miss May C. Ryan of the Scott High School, Toledo, Ohio. Not for sale.
107. Page references to topics dealing with Roman religion, designed for the use of pupils and teachers. Prepared by Ruth Swan and May C. Ryan. Not for sale.
108. A poem for the Bulletin Board—Is the Latin language "queer"?

MAKING CONNECTIONS

I have attained good results in connecting Latin with one of the objectives which I consider valid for my classes—namely, familiarity with certain abbreviations, phrases, and quotations, by having these printed in large letters on cards and posted in some conspicuous place in the class room. I call attention to them whenever I can connect our vocabulary, forms, or syntax with them and I often use them as "perception" cards when I wish to give special drill to the class as a whole.

It seems to me that success in attaining specific ends is very largely a matter of having the material organized and accessible at the right moment.

Emilie Hickerson,
Moberly, Missouri.